

ABSTRAK

EFEKTIVITAS PERLINDUNGAN TERHADAP NAFKAH MANTAN ISTRI DAN ANAK SEORANG ASN PASCA PERCERAIAN MELALUI APLIKASI E-MOSI CAPER (Studi Pada Pengadilan Agama Kota Bengkulu)

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Tingginya problematika kekuatan eksekutorial putusan nafkah secara konvensional seringkali terhambat oleh kesulitan penelusuran objek sita, ketiadaan harta termohon, dan nilai eksekusi dirasa lebih kecil dibandingkan dengan biaya proses eksekusi itu sendiri, sehingga putusan pengadilan dianggap hanya memiliki keberlakuan simbolis. Eksekusi ini sendiri baru dapat dilakukan jika mantan suami enggan mematuhi putusan secara sukarela. Sebagai jawaban atas kebuntuan tersebut, E-Mosi Caper hadir sebagai inovasi sistem interkoneksi elektronik terintegrasi antara PA, instansi tempat kerja Aparatur Sipil Negara (ASN), dan perbankan, yang dirancang untuk memutus kebekuan hukum dengan menjamin percepatan pemotongan nafkah langsung dari gaji ASN.

Metode penelitian yang digunakan adalah hukum normatif terapan dengan tipe deskriptif. Pendekatan masalah dilakukan secara normatif terapan melalui studi lapangan untuk mengkaji implementasi norma hukum secara in-action. Data penelitian mencakup data primer melalui wawancara mendalam dengan Ketua PA Kota Bengkulu, Hakim, Panitera, dan tim IT serta data sekunder berupa bahan hukum primer, sekunder, dan tersier.

Hasil penelitian menunjukkan bahwa *e-Mosi Caper* terbukti efektif meningkatkan perlindungan hak nafkah. Berdasarkan Teori Efektivitas Soerjono Soekanto, keberhasilan ini didorong oleh sinkronisasi lima faktor: penguatan substansi hukum (PP 45/1990), integrasi penegak hukum lintas instansi, optimalisasi sarana teknologi digital, peningkatan aksesibilitas masyarakat, serta pembentukan budaya birokrasi yang akuntabel melalui mekanisme debit otomatis. Meskipun efektif secara sistemik, optimalisasi aplikasi masih menghadapi kendala pada aspek komitmen berkelanjutan pemangku kepentingan, keterbatasan integrasi dengan SIPP Mahkamah Agung, serta jangkauan kewenangan yang masih terbatas pada lingkup Pemerintah Provinsi Bengkulu. Diperlukan perluasan cakupan nasional dan penguatan komitmen lintas sektoral untuk mencapai perlindungan hukum yang berkelanjutan.

Kata Kunci: E-Mosi Caper, Eksekusi Nafkah, Perlindungan Hukum, Pengadilan Agama, Aparatur Sipil Negara.

ABSTRACT**EFFECTIVENESS OF PROTECTION FOR THE MAINTENANCE OF EX-WIVES AND CHILDREN OF CIVIL SERVANTS POST-DIVORCE THROUGH THE E-MOSI CAPER APPLICATION
(A Study at the Pengadilan Agama Bengkulu City)**

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The problematic execution power of conventional alimony rulings, often hindered by difficulties in tracing assets, the absence of the respondent's property, and execution costs exceeding the actual value, resulting in court rulings being merely symbolic. These execution measures are typically only pursued when the former husband refuses to comply with the judgment voluntarily. In response to this impasse, E-Mosi Caper emerges as an innovative integrated electronic interconnection system between the Religious Court, ASN workplaces, and banking institutions, designed to break legal stagnation by ensuring the expedited automatic deduction of alimony from ASN salaries.

The research method employed is applied normative legal research with a descriptive type. The problem approach is conducted through an applied normative lens via field studies to examine the implementation of legal norms "in-action." The research data includes primary data obtained through in-depth interviews with key stakeholders (Chief of the Bengkulu City Religious Court, Judges, Registrars, and the IT team) and secondary data consisting of primary, secondary, and tertiary legal materials.

The results indicate that E-Mosi Caper is effective in enhancing legal protection for alimony rights. Based on Soerjono Soekanto's Legal Effectiveness Theory, this success is driven by the synchronization of five factors: strengthening legal substance (PP 45/1990), integration of law enforcement across agencies, optimization of digital technological facilities, increased community accessibility, and the formation of an accountable bureaucratic culture through automatic debit mechanisms. Despite its systemic effectiveness, the application's optimization still faces significant constraints, namely the lack of sustainable commitment from stakeholders, limited system integration with the Supreme Court's SIPP, and a jurisdictional scope currently restricted to the Bengkulu Provincial Government. Expanding national coverage and strengthening cross-sectoral commitment are essential to achieving optimal and sustainable legal protection.

Keywords: *E-Mosi Caper, Financial Rights Legal Protection, Religious Court, Civil Servants (ASN).*